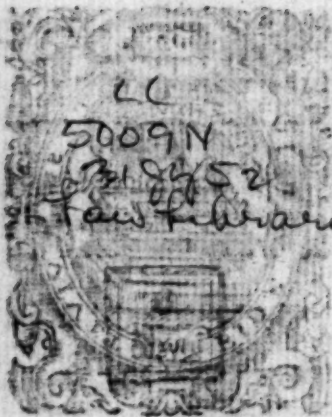


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DE SEPULTURA.



It is a worke of the Law of Nature and of Nations, of humane and diuine Law; to bury the Dead; so it is to administer that which necessarily conduceth to it, the *Place and Office of Buriall*.

If man were so impious as not to afford it, the earth to his shame will do it: shee will open the pores of her body, and take in the blood; shee will send forth her children, the worms, to bring in the flesh of their brother; and with her mantle, the grasse, as with a winding sheet, shee will enfold the bones and bury all together in her owne bosome. Men in passion, refuse oftentimes to doe it to their enemies, to wicked persons, and to notorious offenders; but shee, as a naturall mother that can forget none of her children, doth thus for them all both good and bad, teaching us thereby, what wee should doe for our

Gen. 4. 11.

Lucan speaking to Caesar touching them hee left slaine in Pharsal. lib. 7. pa. 7. 161. Nil quis hac ira, sae sine cadavera soluat, An regis, haud refert; placido natura recepat Cuncta sinu, sinemq; sui sibi corpora debent. So likewise that of Mecenas—Sepulchris natura resistit.

brethren, and branding those with impiety that answer with *Cain*, Am I my brothers keeper?

The drift of my speech tendeth to the reproofe of a custome grown up amongst *us Christians*, not heard of, I suppose, among the *Barbarians*, *Selling of graves and the duty of buriall*, wherein I desire a little libertie to expresse my selfe somewhat at large, as beeing one of the motives that led mee the rather to this discourse.

There seemeth if not a warrant, yet a president for it in the booke of *Genesis*, Chap. 23. where *Ephron* selleth a burying place to *Abraham*, but *St. Jerome* censureth *Ephron* verie hardly touching that matter, even as though hee had committed some point of *Symonia*, or of great impiety, and saith, that for this taking of money for the burying place, O, the letter of perfection was struck out of his name, and that in stead of *Ephron*, which signifieth *perfect*, hee was afterwards called *Ephraim*, that is *imperfect*. The Scripture I confesse maketh no such mention, nor *Iosephus*, nor any other ancient that I can finde: I blame not therefore *Calvin* that hee accepteth it not, but for that hee sleighteth that noble Father so lightly as to terme it a very roye. I hold *Calvin* much inferior to *Austen*, yet *Austen* professed himselfe inferior to *Jerome*: what warrant *Jerome* had for it I know not, all men take him for no Imposter, I suppose (and so might *Calvin*) that hee had it from the *Rabbins*, because hee entitleth that booke of his *Quaestiones et traditiones hebraicae in Genesis*: but all are

are not of *Calvin's* minde, many of the Fathers and Councels do well accept it.

For my own part, I incline with *Calvin* to the excusing of *Ephron*, for both hee and the *Hethites*, as though it were against nature to take any thing for burying of the dead in their soile, gave *Abraham* free libertie, not onely to bury, but to do it where hee would, even in the chiefeft of their Sepulchres. This contented not *Abraham*, he would not onely have *usufructum rei*, the fruition of buriall, but *dominium loci*, the inheritance of the soile it selfe. To sell this I should thinke it lawfull, though not the other in any case: lawfull to sell the Patronage of a Church, not the Presentation, Institution, or Induction. *Pretium loci in quo human-*

F. de relig. & sumpt. funeral. funeris.

duz est, a man may take by the civill law, but there was a necessitie that *Abraham* must have the very soile proper and solely to himselfe: for the circumcised might neither dead nor alive mingle with the uncircumcised, as at this day the Christians not with Infidels, the Faithfull not with Heretiques or Excommunicate persons. In this also *Ephron* was content to satisfie *Abraham*, and where-as hee requested no more then the cave of *Meshepelah*, *Ephron* not onely granted him the cave, but the whole field also wherein the cave was, and that as a free gift, if *Abraham* would so accept it; but *Abraham* refusing to have it by gift, bought the whole field and by right of appendencie had the cave with it. Nothing in all this do I see but noblesse and bounty in *Ephron*, nor any just impediment

Afl. 7. 16.

ment why hee might not at first have demanded the price of the field, much lesse why hee might not take it, beeing pressed upon him, aswell as *Araunah* tooke more money of *David* for the threshing floore, where hee was to build an Altar and to sacrifice unto God. All this notwithstanding, because the scope of the money taken by *Ephron* was for buriall of the body that then wanted it; and not for the soile of the field, but for the Sepulchre, as Saint *Stephen* testifieth, *Jerome* utterly condemneth it, and the rather, (perhaps) for that *Adam* and *Eve* were said to bee buried there, for of such monuments hee was some what curious.

Yet did hee not so much reprove this taking by *Ephron*, as the vice and sinne of our time in requiring and exacting money for buriall, which beginning then to creepe into the world, gave the Church a just occasion both to censure and condemne it by many Constitutions, Canons and Decrees, whereof I will recite some, which I conceive are at this day in force (as touching the substance of them) in our Church, though neglected and not observed by our Church-men.

Canon I.
Lib. 7. Epist. 53.
et simile ibid.
Epist. 4. ad Mes.
salinum Episc.

Nereida a noble woman complaining to *Gregory* the Great, that *Famarinus* the Bishop of *Sardina* blushed not to require a hundred shillings for the buriall of her Daughter, *Gregory* by a decretall Epistle to him, saith, Wee have utterly forbidden this vice in our Church, and do not suffer so bad a custome should in any case bee usurped. If *Ephron* a Pagan

a Pagan were so considerate as to refuse it, how much more ought wee to doe it that are called Priests? We therefore admonish, that from henceforth none attempt this vice of covetousnesse in any Churches. But if at any time you permit any to bee buried in your Church, and that his next kinsman or heires will of their owne accord offer any thing for lights, wee forbid not that to bee taken, but to exact or aske any thing, wee utterly forbid, lest that (which were most irreligious) the Church peradventure might bee said to bee sold (which God forbid,) and you also to seem glad of mens deaths, if you reape any commodity out of their carcases.

But a blow or two could not kill this serpent, for iniquitie hath many heads. Some, as it seemeth, in the Councell of Tribury, Anno 899. made a question, *utrum terra cimiteria a vendi posset pro Sepultura?* whether money might be taken for graves in the Church-yard? The Councell answer'd No. *In Ecclesiastico namque &c.* for it is written in Ecclesiasticus, *Deny not courtesie unto the dead,* for wee all shall dye: And againe, *All things that are of earth, doe returne to earth.* Earth, why sellest thou earth? Remember that thou art earth, and shalt goe to earth, that thou must dye, and that death is coming towards thee and lingereth not. Remember that the earth is not mans, but, as the Psalmist saith, *The earth is the Lords, and they that dwell therein.* If thou sellest this earth, thou art guilty of invading the goods of another. Thou hast received it freely

from God, give it freely for his sake. Wee therefore absolutely forbid all Christian people to sell earth for the dead, and to deny buriall due unto them, unlesse the kindred or friends of the dead person, in the name of the Lord, and for redemption of his soule, will of their owne accord give any thing.

Canon III. The Councell of *Nans* recited by *Burchard*, and the Councell of *Varens al Vafens* delivered by *Gratian*, do both in the selfe same words thus condemne it: *Præcipiendum* &c. It is to bee commanded (say they) according to the authoritie of the *Canons*, that for graves and the buriall of men no reward be exacted, unlesse hee that is dead did whilest hee lived appoint somewhat of his goods to be given to the Church, in the yard whereof he is buried: or that those to whom the bestowing of his Almes, after his death, is committed, will out of their own accord give somewhat of his goods, but nothing may in any case bee exacted by the *Priests* there, or by them that have the government of the place. It is also to bee commanded according to the Constitutions of our Elders, that none upon any case bee buried in the Church, but in the yard, porch, or vaults of the Church, &c.

Canon IV. The Councell of *Toures* under *Alexander III.* cap. *Non satis*, saith, For Sepulture and for receiving Lindeure and Oyle, let no man attempt to exact any kinde of reward, nor to defend his offence therein by colour of any manner of custome; for the length of time doth not diminish sins but encreaseth them.

It

It is true that all these were no more then Pro-
vinciall Synods and Constitutions, yet their judg-
ments did determine this point to bee a grievous
sin, and seemed to bee so orthodoxall, that they
since are taken into the body of the common Law,
and now as powerfull, generall, and obligatory, as
the other parts thereof. But wee will rise higher
and see what generall Councils have conceived
and decreed herein.

The twelfth generall Councell, wherein both *Canon V.*
the Churches, *Greece* and *Latin*, were assembled
by the same *Alexander* at *Lateran* in the year 1180.
cap. Cum in Ecclesia corpore, saith, The buying and
selling that is reported to bee in some Churches is
too horrible; as that somewhat is required for in-
stalling Bishops, Abbots, and all kinde of Eccle-
siasticall persons in their seates; for inducting
Priests into their Churches, and for sepulture
and funerall rites, for benediction of the married
couple, and for other sacraments: verily many
think it lawfull, because they suppose the law of
custome hath got authority by long continuance;
not considering that offences are so much the more
grievous, by how much the longer they have en-
sured the wicked soule of man. Therefore, lest
these things should be done hereafter, *Wee* straight-
ly forbid any thing to bee exacted either for con-
ducting of Ecclesiasticall persons to their seats, or
for Institutions of Priests, or buryall of the dead,
or benediction of them that marry, or for other
Sacraments, either conferring, or collated. But if

any man shall presume to doe the contrary, let him know that hee hath his portion with *Satan*; that is, that he standeth accursed, and, as the glosse interpreteth it, that hee is a Symonist.

CANON. VI.

Circa an. 1198.

The next generall Councell, a very great one in the same place, under *Innocent* the third, continueth the same prohibition touching burials: but because the former bridled the Clergy in taking that was not their due; this curbeth also the perverseness of the Laity, in withholding their just duties: the words be these, *Ad Apostolicam, &c.* It is common to the Apostolick care by frequent relation, that some Clerks, for the buriall of the dead, and blessing the married couple, doe exact and extort money: and if it chance that their covetous desire bee not satisfied, they fraudulently alledge some feigned impediment. On the other side, some lay-men, leavened with hereticall pravity, under the pretence of canonical piety, doe endeavour to break a laudable custome brought into the Church by the godly devotion of the faithfull. Hereupon wee forbid all exactions to be made, and command all godly customes to bee observed; that Ecclesiasticall Sacraments be freely conferred: but that they which maliciously endeavour to change a laudable custome, may upon knowledge of the matter be suppressed by the Bishop of the place. Note, that the customes protected by this Canon must be godly and laudable.

CAN. VII.

As for the Canon *Abolenda*, which aimeth chiefly at those, who, like the Monks of *Mount*

Pessulan,

Pessulan, will not suffer the ground to be broken before they be paid for the grave, I purposed to passe it over, supposing none that serverh in the house of God to bee so covetous or cautelous, as not to stay for his money till hee had delivered his ware: But in the meane time, a complaint was brought unto us of a Church-man (since deceased) and his Clerke, that came together to the house of one of their Parish, who was then newly dead, and speaking with the Executors, would not suffer the body to bee brought out of the house, till hee had 14. l. paid to him and the Parish Officers, according to a bill of particulars then shewed unto them: nor could the Executors compound with them for any abatement more then ten shillings in the Clerkes share, and paid them thereupon 13. l. 10. s.

Against such, amongst other, is this Canon under the Rubrick, *Terra camiseriata pro sepultura vendi non debet*, in these words, *Abolenda consuetudinis per-versas, &c.* There is growne up (as is reported) a perverse custome that must be abolished at *Mount Pessulan*, where they will not suffer the grave to bee digged open for them that die, till there bee a certaine price for the ground, wherein they are to be buried, paid unto the Church. Wee command, that you, being Bishop of the place, doe prohibit the Clerkes from exacting any thing at all in this case. The complaint was for exacting of money before the grave was opened, but the Canon forbiddeth it both before and after. *Nota* (saith the Glosse) *quod pro terra in qua sepeliendi sunt defuncti, nihil est exigendum.*

gendum. Decretal. Gr. l. 2. Td. 39. de parochiis c. 13.

I might, as the phrase is, *girando Canonum volumina*, produce many other Authorities whereby this sin is vehemently impugned and cryed downe: but I will not plough with an Oxe and an Asse together; I will not joyne those Constitutions, which for the most part are *Nationall* and *Provinciall*, with these I have recited, being generall, either by their birth, as springing from generall Councils, or by adoption, as taken out of provinciall Councils and Decrees into the body of the Canon Law, and made thereby as generall and obligatory as the rest: for all these together, with all other parts of the Canon Law, as they have beene heretofore in use, and that are not repugnant to the Lawes and Religion of the Kingdome, or repealed by the Statutes of *Hen. 8.* or of later time against Papall usurpation, are still in force, as I conceive, and as was lately seen in two great cases, wherein every corner of the Canon Law, as well remote as obvious, ancient as the later, were searched out either *pro* or *contra*. As for the 32. Commissioners that by the Sat. of 25. *H. 8. cap. 19. & 3. E. 6. c. 11.* should have pruned the Canon Law, and cut off the unnecessary branches, nothing was done thereupon, so that it still remaineth as it was before. But admit that neither these, nor other positive Constitutions extended to our Ministers, will they not bee a law unto themselves, and abstaine from that which is declared to bee wicked and unjust by so many godly men, so many Fathers, Councils, and Decrees of the Church.

Let us then consider the Councils and Canons that

25. H. c. 8. 19.
27. H. 8. c. 15.
35. H. 8. c. 16.
3. Ed. 6. c. 11.

A booke was
prepared, not
finished or e-
stablished.

that wee have recited; and see first, what opinion they have of money taken for burials: and secondly, how they censure and decree touching it.

First, for their opinion, they declare it to bee a vice, a vice of covetousnesse, a bad custome, that may bee said most irreligious, as a selling of the Church, a cause of joy to the Parson when men dye, and a reaping of commodity out of carcasses of the dead, and sorrow of the living.

Can. I. Greg. ad
Januar. Regist.
lib. 7. Epist. 55.

2. A discourtesie to the dead by him that must dye, a selling of earth by him that is earth, a selling of that is none of his owne, a selling of what was given freely to give freely, a denying of buriall.

Can. II. Concil.
Tribur.

3. A thing too horrible, that bringeth the portion of Gehem upon the offender, that is the brand of Simony, as the glosse expoundeth it, a curse, an uncleannesse, and cause of separation from common society.

Can. V. Concil.
general. Lateran.

Lastly, as maladies are the most grievous and contagious that continue longest: so they conclude this to bee so much the more grievous, by how much the longer it hath continued; and declare it to bee *abolenda consuetudinis perversitas*, the perversity of a custome is to bee abolished.

Can. VII. Concil.
Turon.

Can. V. Concil.
gener. Lateran.
Can. VII. Decr.

63. & 28. c. 13.

I am loth to use these heaveie termes of aggravation; yet they proceed not from mee, but from the Clergie themselves against the Clergy themselves, from the body against a member, from the Fathers, the Doctors, the Decrees of the Church, and great generall Councils, against some private, particular and incorrigible offenders.

The summe of their censure and decrees is this.

1. That nothing bee exacted or required for any sepulture:

Cap. Abolenda
ver. Sepultura,
col. 1207.

sepulture; which word the glosse declareth to comprehend the ground or place of buriall, and the ministry of the Priest or Parson about the same. And in some of the Canons it is particularly so expressed.

2. That all customes for such taking, are evill, impious, and voyd.

3. That the offence in taking is Simony.

4. That the cognisance thereof belongeth to the Bishop of the place.

5. That gifts of pietie for use of the Church, may notwithstanding betaken.

6. That none should bee buried in the body of the Church.

There is a fiction that *Achelous* fighting with *Hercules*, and not able to resist his force, shifted himselfe into divers formes, thereby to illude it. So the Canonists try many evasions to help their Masters of the Clergy in this point of taking, by distinguishing the places of buriall, the persons that take, the time of taking, and the manner of demanding.

Of the place.

Locus purus.

For the place, they say there bee three sorts, *Locus purus*, *Locus religiosus*, and *Locus sacre*: according to the civill Law, *locus purus* is that which is more secular ground, never used for buriall, nor having any kinde of consecration. To this they say the Canons doe not extend, for that it is some private mans; and the owner, if hee will, may take money for a grave there; for, *Nemo tenetur de suo beneficium facere*, No man is tyed to give his ground to a charitable

Decr. Greg. cap.
Abolend. ver.
Sepultur. And
Grat. Can. 12.
q. 2.

charitable use. *Locus religiosus* is that which is assigned to some office of Religion, and nominately where the body of a dead person hath been buried. *Locus religiosus.* For by the very buriall of that body, the nature of the soyle is changed from secular, and, in reverence of this new function, counted to bee religious; and now therefore by the Canons nothing may bee taken for any more graves there. Some such places (I suppose) are about this City adjoyning to Church-yards, for enlarging thereof, and some of them for which the owners doe take a yeerely rent of the Parish that useth it, letting it unto them to sow dead mens carcasses in, as it were to sow corne, and as though the carcasses should grow up (like the fable of *Cadmus*) and bring them a crop to pay the rent with. This the Canons doe meerely forbid, as doth also the civill Law, and Law of humanity, the Fathers, the Councels, and the opinion of *S. Jerome* in the case of *Ephron*.

For mine owne part, I take it to bee a kinde of usury to let that for money, whereof the hirer can make no kinde of profit. It may be said, that they might have chosen, when they first hired it, whether they would use it so or no; and it is true: but after the thing is done, and the place thereby become religious ground by being made a burying place; now to let it in that kinde, is (I say) against the Canons. *Locus sacrasus* is that which by the donation of the owner is settled upon God and the Church for some divine and Ecclesiasticall service, and then consecrated thereto by the Bishop, is thereby severed

severed from humane property, as be our Churches and Church-yards; the meere property whereof, which wee call Fee-simple, is said to bee *in nubibus*, and *abaiance*, though the Parson, Patron, and Ordinary, for necessities sake, might make a conveyance of them. But to dispose them, or any part of them contrary to the will of the Donor, the nature of the gift, and the glory of him that is the Supreme owner, (God Almighty) is by these Canons Simony, Sacriledge, and extreme impiety. Hereof there must therefore bee no buying or selling; and in this, no doubt, the Canonists are right. Thus much for the *place* of Sepulture.

Of the parties.

Touching the *parties* that take money for the office or ministry of buriall, they say that the Canons extend not universally to all Clergy men, but to such onely as are beneficed, or have pensions for doing the Church duties, or serving the cure; not to those which are *sine titulo, sine salario*, without benefice or stipend, and that they may therefore

take what they can get; for, *It is not inconvenient* (saith the Glosse) *that a Clerke should sell his paines,* if hee have not whereon else to live. The rest of the Clergie they leave under the Canons, yet with such shelter, and so many starting holes, as the Canons may play upon them, but not hurt them: For as time changeth, so they change the case, observing a difference in taking money before buriall, and in taking after; to take aforehand, they say, is utterly unlawfull, for that it implyeth a buying and selling by example of Tradesmen, who first take their money,

Nec est inconveniens quod Clericus locet operas suas cum non habeat unde vivat. Decr. Gr. l. 5. 29. ver. pro exequiis.

Tit. Symonia
ca. firmis. verb.
exigatur. lib. 4.
Etymolog. &
divisio. juris u-
niversi exposit.
John Calvin ab
Cuble Lexis.

exactions; but the word includeth smooother courses: *Lindewode* expoundeth it to require or take a *nolente*, of him that would not part with it. *Calepine* saith, that *Lactantius* useth it for *convenienter postulare*: *John Bellonus*, that *exigere est petere*, *exactio est petitio*, and that the *exactores tributorum* were so called a *petendis tributis*, which the *Lexicon* of the Civill and Canon Law doth also deliver: So that to exact is not onely to wring it from the party, but to demand or require; and to demand or require, is to exact. In this manner the fifth Canon either useth them Synonimally, or complaineth of one abuse in the preamble, or provideth against another in the decree. To put it out of doubt, the first Canon useth both the words, *Peti verò aliquid, aut exigere omnino prohibemus*: We utterly forbid any thing to be either asked or exacted: and it setteth *exigi* in the later place, as though *exigere* were lesse then *petere*, or, as *Lactant.* taketh it, *convenienter postulare*. Note also, that this Canon was made against asking or exacting after the buriall, as before we have touched.

All this notwithstanding, I must truly confesse (for I deale with *Argus* and *Briarius*, them that have all perspicuity and assistance) that there is no expresse word in any of these Canons, against giving or taking simply, though I thinke there bee enough to satisfie indifferent judgements. Yet if it bee a defect in them, I have a helpe for it here at home in our own Provinciaall Constitutions, where, in a Synod at Westminster, assembled by *Richard* Archbishop of Canterbury, I finde it thus decreed under

under the Rubrick, *Ne quid exigatur pro Sacramen-* Statuimus ergo
tis conferendis Ca. Dicitum est, &c. Wee therefore *ut de cetero.*
 ordaine, that from henceforth neither for Ordination,
 nor for Chrisme, nor for Baptisme, nor for extreme un-
 ction, nor for Sepulture, nor for the Communion, nor for
 Dedication, any thing bee exacted, but that the gifts
 of Christ bee given with free dispensation, and let him
 that doth the contrary bee accursed. So that if they
 must be given freely, nothing surely must bee taken
 for them, either *ex obliquo*, or by evasion.

It may bee said, they require nothing by way of
 price for the ground or Sepulture: for the fourth
 Canon is, *ut nulla cujusquam pretii exactio attente-*
tur, but as a reward from the party by way of gra-
 tuitie. Who knoweth not that *pretium* signifieth a
 reward, aswell as a price? and for mine owne part,
 I doubt not but that the Canon doth so intend it:
 yet, to cleare the point, the words of the third Ca-
 non are expressely, *ut nihil muneris exigatur*, that
 no reward be required.

I suppose by this time the offenders in this kinde
 have left the plaine field of the Canons, and taken
 themselves to their last hope and Castle of refuge,
Custome and prescription, where it now resteth to
 beat them out. Every man knoweth that evill cu-
 stomes are in their owne nature to bee abolished;
 and those that be good, yet if there bee a positive
 law against them, they are also voyd. The nature
 of this custome by the collection wee have made
 out of the Canons, is not onely declared to bee ex-
 cessively bad, but, by the great generall Councell of

Lateran,

Lateran, to bee very horrible, and consequently to be abolished; but being positively against the Canon, it is *in ipso hoc* directly void; though there were no clause or provision in them so to denounce them, yet *ad maiorem cautelam*, the fourth and fifth Canons doe expressely overthrow that custome, and besides doe brand it with this note of infamy, *the elder the worse, and the longer it hath continued, the more grievous.*

The Parsons have now a shrewd Crow to pull, for the Canonists themselves will confesse all this to be true. What then remaineth with *Achelous*, *seu versare dolis, seu certo occumbere*? *Corax* must now help them with a quirk to cosen the Canons, and to slide from them, or they are undone. Well, heare *Jo. de Ashon*, one of the pole-starres of our English Canonists; *Let him* (saith hee) *that askeith any thing in this case, take heed to himselfe; for if hee aske and take it for his duty, or for the ground, or for sepulture, he is gone, for it is Simony:* And for proof thereof, all alledge some of the Canons wee have recited, with divers other, and the opinion of *Hostiensis*; and saith further, that a custome will then doe him no good, as appeareth by the Canon of *Otho*, which hee is there in hand with, and that of *non satis* in the *Extravagant*, by us also expressed &c. *But* (saith hee) *if hee demand it when his duty is done, in this manner, for that every one that dieth, or is installed, hath used to give so much to the Priest or Church, then he shall prevaile, and doth justly require it.* For confirmation hereof, hee produceth the resolution

solucion of Innocent. and other Authorities: And that Hostiensis saith infallibly, that this is true, touching the duty of the Laity towards the Church; in so much, as though this exhibition of the Lay-men tends to the over-filling of the belly of the Clerks; yet it may bee demanded, as hee noteth in the Extravagants, Tit. Simony, ca. Jacobus: And Ashon saith, That hee beleeueth it to bee true, not respecting the inordinate gluttony, but the right of the Church, alledging other Authorities to confirme it. F. 1.

To the same purpose is the opinion of Lindewode, the other pole-starre of our English Canonists, and with the same words in *part. tit. Simonia, ca. 1. Sepulture* (saith hee) *must not be sold*, and (citing 8. q. 2. s. *Item queritur per Jo. & Co. ibi sequentibus, de sepult. ca. abolenda*) saith, that it appeareth there in the text and glosse, that in a sacred place, as in a Church or Church-yard, nothing must be required for sepulture, no nor yet for the office of buriall, as Bernard there noteth. And this is true as touching his office, because a Clerke by reason of his benefice is tyed unto it. But it is otherwise, if hee bee not tyed thereto by reason of his Benefice, and so that hee doth not contract to haue it, for then it is Simony; (*Extrav. eod. tit. ca. in tantum, secundum Hostiens. & ca. non satis*) yet the Glosse saith, in the end of the said chapter, *abolendæ*, that though Clerks may not require any thing for such sepulture, yet the Laity may bee compelled to obserue godly and laudable customes. And marke, according to the note of Hostiensis, in the same Chapter, That hee that requireth to haue the custome performed to him, must

must take heed to himselfe; for if hee demand it for the ground, or for his duty, hee is downe, and it profiteth him nothing to alledge a custome (ut dicto capite abolendæ:) But if hee saith that for every dead body so much hath been usuallly given to the Priest, or to the Church, then he shall obtaine it: as in ca. ad Apostolicam Extrav. cod. & vide gloss. hic similem 13. q. 2. §. Item quaritur. Linw. fo. 201.

Here is a left-hand way to slip by all the Canons, let us consider it. May the Parsons frame their custome as they list? Is it like a *Proteus*, or *Lesbian* Ruler? Are they not tyed to the matter of fact, to the manner and forme of payment? Are Mood and Figure onely Unive sity observations? Let them be well advised in laying their customes so, lest the Jury finde an *Ignoramus*. It hath fallen upon mee to be an unworthy member of that most noble and most gracious Commission of *exalted fees and innovated offices*, and thereby to have notice by certificate of divers Parsons, Vicars, and chiefe Parishioners of most of the greatest Parishes of London, yet none of them hitherto (to my remembrance) have made any such claime, nor know I how they should prove it if they did.

I will stirre no coales, nor prosecute this point any further, for the duty, love, honour, and great observation I beare unto them; but I intreat, with vehemency, that both they and the rest of their coat will thinke seriously of it, and if not alwayes, yet when in their Sermons they justly fall upon the oppressions, extortions, raising of rents, &c. by Landlords

lords and lay-men. For this bird of theirs is a wing-
ed sinne, hatcht of late within this Citie, but crept
already into the neighbour Towns, and will short-
ly flye (if the wings be not clipt in time) over all the
Kingdome. Oh, let not that of *Jeremy* bee once
spoken of this noble Citie. *From the Prophet* Cap. 23. 15.
*of Jerusalem is wickednesse gone forth into all the
Land.*

As this sinne, and the Canons lie fore upon the
Ministers, for taking money for graves in the
Chancell, and for their paines in burying the corps
wheresoever: so doe they upon some other, who
little dreame of it, the Church-wardens of Pari-
shes that sell graves in the Church and Church-
yard like ware in their shop, and when they thinke
fit, make lawes in their Vestry for raising the price,
as they doe in their Halls for the price of their ware.
If they looke the third Canon, they shall finde
themselves contained there under a faire stile, *Them
that have the government of the place,* (meaning,
of the Church, Church-yard, and Parish) so
that though they bee lay-men; yet by misusing the
things of the Church, they fall into the same of-
fence and penalty respectively that Church men
doo, and have their portion assigned them with
them, as in the fifth Canon. I have heard what
some of them answer: That it is no benefit to
ourselves, it is for the good of the Parish, for re-
pairing the Church, the Bells, the Steple, to help
out some extraordinary charge that falls upon the
Parish; and if some small matter bee spent upon

a Parish Audit, or a Quest-house dinner, it is an *Agape*, or Feast of love, and no man will grudge or repine at that, our Predecessors did it before our time, and our Successors will doe it when wee are dead and gone. All is done by an assembly of the Vestrie, by consent of the Masters and chiefe of the Parish subscribed, and testified under their hands. Well, let their Vestrie on Gods name bee a Consistory for well ordering of the things of the Church, it is fit it should bee so; but let it not bee a Parliament, that a dozen or sixteene private persons (I will not meddle with their trade or quality) should change or abrogate any superiour Constitutions, much lesse those of Synods and generall Councels, nor to make orders to bind, like a law, the rest of the Parish that consented not.

What they have used to doe time out of minde, I call not into question; but those Vestries that within these thirty yeeres or thereabout, have left their ancient formes, (supported by a lawfull prescription), and contrived to themselves a new society, power, and jurisdiction over the rest of the Parish, countenanced by an instrument from the Ordinary, under the Seale of his Chancellor, and (as now things are) have new names, some commonly called *Selected Vestries*, I see, the *Shop* names are used in them, whether their assents and knowledge, I am doubtfull. I assure my selfe their Lordships would doe nothing against the Law, and I understand not by what law they may at this day erect such Societies, or endow them

them with such Authority as is pretended. But to deale plainely, I thinke those Instruments conferre more money upon the Chancellors, then authority upon the Vestries; for (by those that I have seene) the Bishop or Chancellor granteth nothing to them, but relating that they have considered the forme of a Vestrie desired by some of the Parish, they *allow, approve, or confirme it*, and yet no otherwise then (with a *Quantum in nobis est*) as farre forth as lawfully they may, and no otherwise. Nor have they this shadow of authority otherwise then upon condition, that they shall doe nothing that may trench upon the jurisdiction or profit of the Ecclesiasticall Court. What have they now for their money? Or more (in effect) then if a private man had granted them as much? No doubt, many of the wise Parishioners doe perceive it, and some Parishes have renounced it, and are turned back to their ancient Vestrie: yet neither of them keep their bounds; for the one and the other take upon them not onely to make orders in the nature of by-Lawes to binde their Parishioners, but to set and raise fees and duties of the Church, and Church-Officers at their pleasure, as appeareth by many Tables produced before us. But see what they have gotten that claime their fees or duties by such Vestry Orders, or unlawfull Authority: for prescription will not now help them, in so much as the originall of their fees appeareth to be by the Table, and the Table cannot defend them, for that the Authours of it had no authority to make

such assessments, and so consequently they can neither justify the clayming of their fees or duties, either by the one or other; and the Vestrymen perhaps may bee in danger of an unlawfull Assemblie to change Lawes; or to have their offence strained very high, if severity should examine it.

Give mee leave to present to you what I finde in a Vestrie-Constitution lately made, and subscribed by the Parson and Church-wardens, with twenty three more of that Assembly, confirmed by the Bishop, approved by his Chancelour, declared to bee a laudable custome of that Parish, and in testimony thereof entred (as a solemne Act) in the principall Registry of the Lord Bishop of the Diocesse; and finally, ratified with the Chancelloours hand and Seal of Office: I may say, *videt, patuitque videre.* But heare the parocls onely touching the Parson and Church-wardens for the point in hand.

24. Nov. 1627.
Dat. 25. April.
1628.

Whosoever will bee buried in the Chancel, shall pay to the Parson as shall bee agreed.

For interring the Corps, ———— 10 ———— 0

In the Iles of the Chancell.

To the Church-wardens for the ground, ———— 26 ———— 8

To the Parson for interring the Corps, ———— 6 ———— 8

In the Body of the Church.

	℞	2
To the Church-wardens for the ground,	—20—	0
To the Parson for interrving the Corps,	—6—	8

In the Church-yard.

To the Parson for inter-	} confined,	℞—2	} unconfined,	℞—2
ring the Corps,—		2—8		1—4
To him in like manner		2—8		1—4
for every childe un-	} confined,	2—8	} unconfined,	1—4
der seven yeeres,—				

All these double of every Stranger.

I meddle not with the Constitutions of 4. ℒ. to the Parson for a Pew in the Chancell, nor of 15. ℞. 20. ℞. 3. ℒ. 3. ℒ. 10. ℞. for places and Pews in other parts. But these and many other of the like sort fall in one Certificate. In another Parish I finde six shillings eight pence to the Parson for the duty of buriall in the Church, when himselfe doth it not, but his Curate, who for his paines hath by the same Certificate ten shillings more, besides other ten shillings for a Sermon (though there be none.)

But to goe a little backe to the first demand, touching burying in the Chancell, which is not definite *in quoto*, but positive *ex imperio*, that who-soever will be buried there, shall pay to the Parson as shall be agreed.

It is to bee noted, that here is no custome,
and

and consequently then, whereas the Parson thin-
keth the advantage lyeth on his side, to take what
hee list, hee is now excluded by all the Canons
from taking any thing at all: For the buckler that
should defend them is the Canon *Ad Apostoli-*
cam, and the breadth of that extendeth no further
then to protect them that fight under a Custome,
which also must bee pious and laudable, otherwise
it covereth not any. And consequently, whilst
they stand upon termes, and alledge the Chancell to
bee their free hold, and that they may as freely dis-
pose it at their pleasure, as Lay-men may of their
lands, they fall into the foule pit of Simony, if they
were looked after.

The grave is the onely inheritance that wee are
certainly born to, the inheritance which our *Grand-*
mother the earth hath left to descend in *Gavelkinde*
among all her children: Shall one enter, and hold
another out, or drive him to pay a fine *pro adeunda*
hereditate, as they say in the feodall Law, or *pro*
ingressu habendo, as wee in the common Law: Is
our tenure base like a copy-hold *ad voluntatem Do-*
mini, and not rather noble by *francke Almoigne*,
free from all payments and services? How doe
the dead rest from their labour, if they bee vexed
with payments? How goe they to their grave in
peace, if they pay for their peace? *Laborat are*
alieno qui debito tenetur, and his peace is not worth
thanks, if hee must pay for it: Hee payeth for
his peace, if hee payeth for the place where his
peace cannot otherwise bee had: Hee payeth for
his

his rest, if hee cannot enjoy it without payment :
Hee payeth for his Inheritance if hee cannot enter
into it without a fine *pro ingressu* ; his inheritance
settled upon him by the great Charter, *Terram
dedit filiis hominum* : A royall gift, but as it is used,
malè collocatum, ill distributed. The poore man
(alas) hath nothing of all this for his portion but
the grave, and may not now have that, unlesse hee
pay for it. Well, To whom should he pay ? *Reason*
answereth, If to any, to the owner of the soyle.
True, But the owner of the soyle was the Founder
of the Church, and hee, out of piety, zeale, and
charity, gave the Church freely for Prayer, the
Church-yard freely for Buriall, *absque ullo retene-
mento*, without any rent, any service, any reserva-
tion. Nor could hee (if hee would) have done
otherwise, for the Canonis would not suffer him :
Nor though hee were the absolute owner, yet if
hee had reserved but a pepper corne out of a grave,
it had beene not onely voyd, but execrable. A
pepper corne ? what talke wee of a pepper corne ?
no ground in the Kingdome is now sold so deare
as a grave. That poore little Cabinet, that is not
commonly above five foote long, and a foote and
halfe in breadth, where there is no roome to stirre
either hand or foote, and the roose, as *Saint Ber-
nard* saith, lyeth so low, as it toucheth the nose,
this silly Cabinet is sometimes in the Church-yard
sold to the poorest man for sixteen pence, sometimes
for two shillings eight pence, sometimes three shil-
lings, sometimes fixe shillings ; in the Church it
selfe

selfe at ten shillings, twenty shillings, forty shillings, three pound, foure pound, &c. in the Chancell, at twenty shillings, forty shillings, three pound, foure pound, five pound, yea, ten pound: and yet the purchaser hath no assurance of it, but is constrained to hold *ad voluntatem Domini*, or as a Tenant for seven or ten yeeres, within which terme hee is oftentimes cast out, and another put into his room, and no Writ of *Quare eiecit infra terminum* lyeth for him. Shall I tell what I was ashamed to heare? A grave or burying place let to farme at twenty shillings a yeere, the rent duely paid for divers yeeres, and being then behinde, the Parson threatned to uncase the corps by pulling downe the Monument if it were not satisfied; and shame was so farre from him, as hee spared not to defend it even before the Commissioners: To whom it was likewise testified, that another had made forty pound of one grave in ten yeeres, by ten pound at a time. Strange things to mee, what to others I know not, but I suppose, *cinctus non exaudita* *Cetbegit*, the oldest man living hath not heard the like. Is it not time that his Majestie should doe as hee doth, that like *Iosue* hee should reforme the Temple, the House of God? God bee blessed that put it in his heart, and grant him well to finish the work in hand, being so noble, so pious, and so full of necessity.

I said the Church was given freely by the Founder for Prayer, and the Church-yard freely for Buriall; what reason can then bee alledged, why the

the

the dead, should rather pay for going into the grave, then the living doe for going into the Church? Or why doe not the living pay as well for the one, as the dead for the other. Alas, *mortuo leoni & lepores insulsant*, a little childe may pull a dead lyon by the beard, but the least dogge alive will turne againe upon the tallest man. I have here a faire occasion to speak of another great abuse, the extreame exacting money for pewes; but I will hold me to the matter in hand, and for a conclusion, give mee leave to upbraid our Ministers with that golden Edict of *Agamemnon* in *Homer* touching the slaughtered *Trojans*, his enemies.

Iliad. 7. pag. 128.

Οὐ γὰρ τίς ποῦν νεκρῶν καταδύματα
 τίει, ἔτιος θάνατος, τούτῃ μὲν ἀνὰ γῆν.

*I will that nought be taken for the grave;
 But that the dead shall freely buriall have.*

O shame to our religion that heathens and soldiers should be more gracious to their enemies, then a Christian Minister to his friends and brethren. But, *ferrea nunc etas*, &c.

I am now led, where I was loath to come, to shew the nature and penaltie of this sin. But that nicenesse is too late, since *Jo. de Asban, Hostiensis*, divers Canons, and some other former passages have alreadie so manifestly discovered it to be Simony, under which title it therefore standeth ranked in the books of Canon-Law with this censure and penaltie, *sicut simoniaca pestis*, &c. as that pesti-

TURANS in Vir. An. 10. useth the like curtesie in burying his enemy *Palas.*

Quisquis honos famuli, quicquid solamen humandi, Largior—

And it is said that the Turks in this point cry out upon us Christians.

Decr. Greg. lib. 3. cap. 6.

Ibid. c. seq.

lent disease of Simony doth exceed in greatnesse all other diseases, so immediately as soone as the signes thereof shall appeare by the relation of any person, it ought to be cast out, and banished from the house of God; So odious is the contagion thereof in the Canon Law, as it receiveth all criminous and infamous persons to become accusers, even the bondman against his Lord. It induceth suspension, irregularitie, excommunication, curses, deprivation, &c. many penalties not put in execution.

The cognizance and reformation thereof, as of all other enormities in Church and Church-men, were anciently in the Clergie themselves; till *King Henry* the second perceiving that many horrible crimes committed by Clerkes were either smothered up in secret, or smoothed over upon examination with some slight punishment; (for nothing in the Canon Law is mortall) he therefore obtained in the great Councell of *Clarendon*, to have them tried for Capitall matters before his secular Judges, which first cut the ham-strings of Ecclesiasticall Jurisdiction, and became a perpetuall president for the laiming of it afterward in other members: for hereupon the succeeding Parliaments from time to time, as they found the Clergie either sleeping or exorbitant in using their Jurisdiction, pulled somewhat à *Consistorio Cleri ad Prætorium Regis*, from the Canon-Law to the Common-Law; and by little and little have brought the great sea of their old authority to a narrower compasse; which, if my Lords the Bishops look not the better to,

to, will (I teare) be yet contracted and diminished. They are not ignorant what hath been attempted against them in this kinde in *Queene Elizabeths* time and since, and that there be about foure hundred persons which observe their courses very strictly. Their Lordships trust their Chancellour, Commissaries, Arch-Deacons, and Officials with the Canonick government of their flocks, and these, in many places, desiring money rather then amendment, doe so shave and pelt the people, that the cry thereof is very grievous, and will (no doubt) produce some other reformation, if it bee not (as I said) helped by themselves in time.

They were wont to limit their owne fees and the fees of their officers in the Provinciall Synods, as appeareth by diverse of them. But their Successours kept them so badly, that although the Synod of London in the yeare 1342. had given a good smart allowance for the probate and businesse of a testament, as twenty shillings at least, of the money of that time for every hundred pound of the Inventory: yet the market by *Henry* the eighth his time was growne to that height, that a thousand markes were said to be exacted for the probate businesse of one mans testament (Sir *William Comptons* by name;) which gave the Parliament in the twentie second of the same *King* such discontent, as they would trust the Clergy no longer to be their owne Carvers, but made a speciall Statute in that point to bridle their exactions. And so likewise about *Mortuaries* and *Corps presens*.

Steph. Meppam.
Archiep. Cant.
Jo. Stratford in
Synod. London.

See Hollinsh p. 4
911.

An. 1584.

An. 1597.
cap. 135

Now the authority they had is gone by their submission, Anno 25. Hen. 8. and the Statute thereupon then made: So as at this day they have no authority, either by Diocesan or Provinciaall Synods, to set any fees but in their Convocation by assent and confirmation of his Majestie under the great Seale. In which course none have been taxed since the said Statute, till 27. Eliz. and then none touching any other then officers of Ecclesiasticall Jurisdiction, and Courts, not Parsons, Vicars, Ministers, Church-wardens &c. And noe otherwise also in the Constitutions of the Synod of London, 25. Octobr. 39. Eliz. & Jac. 1. where the Lord Archbishop of Canterbury hath power given him to determine of some questionable fees touching the said officers, but noe farther; so that the rates and taxes of fees of Parsons, Vicars, Ministers, Church-wardens, and the like, which I have often seen to be countenanced and authorized by the Ordinary of the Diocesse, his Chancelour, or other officers under their hand and Seale (as farre as my understanding can discover) are without sufficient warrant, and against the Law.

What fees the Parson may take.

But when all is done, it must not be forgotten that somewhat doubtlesse may be due unto the Parson upon the buryall of the dead, for why else should divers Canons provide that the bodies of those which dye, be not carried to buriall out of their

their Parish, lest the Priest should thereby lose what is due unto him.

And though the Canon *ad Apostolicam* forbid exacting of money for burials, yet it preserveth godly and laudable customes in that kind; and prescribeth a course for suppressing their malice that shall attempt to break them. ^a*Tertullian* maketh oft mention of oblations for them; not only at the time they dye, but in their Anniversaries; and particularly of husbands for their wives. So doth ^b*Cyprian* in diverse passages, calling them sometimes oblations, sometimes *Sacrificia*; and speaking of oblations, saith, that the Ministers had an allowance out of them for their maintenance. ^c*Hospinian* therefore is deceived, that supposeth them to have had their growth under ^d*Gregory* the Great. But in this, doubtlesse, he is not deceived, that Priests and Monkes, leading the people on in this Superstition of prayers and oblations for the dead, raised thereby an excessive benefit to themselves. For they made hereby the place of buriall; which was publique, to become their owne in private; and then, selling it for money, shew themselves more impious then the barbarous *Ephron*, that freely offered *Abraham* his buriall field.

It is now therefore to be considered, which be those laudable customes that may come within the protection of this Canon: for they doubtlesse are inexcusable though not easily to be expressed, for that they may differ according as devotion hath begotten them in any place or Parish. But be they what

^aDe corona milit.

cap. 3. 13. 8.

^bDe castit. mona.

lib. 3. Epist. 6.

lib. 4. Ep. 5.

^clib. 1. Epist. 7.

^dLib. d. Orig.

templorum. Act.

87. 6.

^e*Asollonius* in

his book a-

gainst the

Montanists,

saith, that

Montanus sub

nomine obla-

tionum, mu-

niera artific-

osus accepit.

Hist. trip. lib.

5. cap. 16.

But it is said

that the Fran-

ciscan and Do-

minican Friars,

about 550.

yeares since, in-

vented to get

money by per-

swading the

people the

buriall in

Churches and

the neerer the

Altar was

much the bet-

what ter.

what they may (I labour not on that;) my drift is onely to shew that they must not bethole which are now in use, to take money for the grave or office of buriall; for these cannot be said to be godly or laudable customes, since so many Canons have declared them to be vitious, impious, injurious, irreligious, too too horrible, & the more grievous by their longer custome and continuance, and therefore damnable and annulleth them by expresse words, how ancient or how generall soever they be.

If you will put me to name some such custome as may seeme laudable and Canonically, I will present you with that which *Hostiensis*, *Atton*, and *Lindwode* deliver upon their credit to be authentically in the Parish, where it hath been so used; viz. *That for every one that dyeth there, so much hath usually been given unto the Priest or Church.* This they say will hold out water; but, as I said before, I feare me none of our Parsons can maintaine it in this forme. Another is that we call a *Mortuarie*; which was thus paid: The Lord of the fee had the best beast of the defunct by way of an *Heriot*, for the support of his body against secular enemies; and the Parson of the Parish had the second as a *Mortuarie* for defending his soule against his spirituall adversaries. I know the *Provinciall*, and *Lindwode* following it, doe say that the *Mortuary* was given in recompence of personall tythes forgotten or omitted; but, under correction, I doubt of that; because, that in the ancient *Formularie* of wills,

*Lib. 1. tit. de
consuet. c. 1.
Lindw. 161.
in gloss. fo. 15.*

wills, and by the Canon of the Synod of *Exeter*, it is expressly directed, that in all of them, there shall be an especiall Legacy of somewhat to the Parson for tythes and oblations forgotten or pretermitted; and if a *Mortuary* were for the same reason, then had the Parson in many places two severall recompences for one and the same thing. It were very unreasonable also that a poore man having nothing tythable but three horses, should give the second of them to the Parson for tythes omitted, when hee whose tythes are worth 40. or 50. pounds a yeere giveth no more; nor is it like an *Heriot*, which by contract between the Lord and Tenant was reserved upon the originall grant. But the Statute of 21. *Hen. 8. cap. 6.* hath turned these kind of *Mortuaries* into certaine summes of money, according to the value and estate of the Parishioner deceasing, and forbiddeth any thing to be otherwise taken either for *Mortuarie* or *Corps present* (which I conceive to be, when the corps is carried either thorough or into another Parish) then where it died.

Other customes there may be also, which the Canon accompteth laudable; as where money was anciently given for lights in the Church, or for praying for the soule of the deceased. The Parson it may be doth enjoy it at this day not mentioning the originall, and so it behooveth him to doe, lest the King be entituled to it by the Statute of *Superstitious uses*. And it may be that the money now paid for graves, was anciently the same that was given for praying for the soule of the dead. For
Mr.

pag. 165.

M^r Fox reciting some Lawes of *Canutus*, hath this for one, *Pecunia sepultura, iustum est, ut aperta terra reddatur: Si aliquod corpus à sua parochia deferatur in aliam, pecunia sepultura &c.* In english (saith he) It is meet and right, that in funerals money be given for opening the earth: If any body or corse be carried from his owne Parish into another, the money of the buriall shall pertain by the Law to his owne Parish Church.

This Law cometh home to the point in hand, & maketh very materially for the Parson, and therefore I blame them not if they lay good hold on it as a warrant of antiquity, to shew both their right and their custome. But you must know, that this Law was not written originally in Latine, but in Saxon: And that the Translatour hath not delivered it faithfully.

*Canuti LL. Eccles.
cap. 13.*

The Saxon is this: 7 rapelſceat 7 pihſceat
þ̅ man 7 ymle gelesſe a cæt opœnum gpaſe. 7
gſ man cœnig lic of pihſ ſcpiſt ſeiſe elle-
rhpœſe lege gelœſſe mæn pone rapelſceat
7 pa ðeoh into pam mýnſtpe ðe hit to hýnde;
that is, It is juſt that the ſoule-ſhott (or money gi-
ven for praying for the ſoule) be alwayes payd at
opening of the grave: And if the corps be buried
elſewhere then in its owne Parish, yet let the ſoule-
ſhott be paid to the Church, to which it belongeth.
It is taken *verbatim* out of the Synod of Eanham,
holden by *Alpheage* Archbiſhop of Canterbury,
and

and *Wulfstan* Archbishop of *Yorke*, about the yeere 1009, in the time of King *Esbeldred*, and now in a secular Parliament (as I may call it) confirmed by *Canutus*. But the old Latine manuscript copy of that Synod cleareth the question, in these words:

Cap. 14. Munera nec non defunctorum animabus congruentia puto impendantur aperto; Let the gifts also that are given for the behoofe of soules of the dead be paid (or delivered) at the opening of the grave. This Canon neither commandeth any thing to be paid for the grave, nor yet for the soule, but onely limiteth the time when that which is given for the soule should be paid. He therefore that translated *Canutus* Lawes out of *Saxon*, did not truely expresse *rauleſceat* by *pecunia ſepultura*, nor *Mr Lambard* (who rather affected eloquence then propriety) by *pecunia ſepulchralis*: But *Mr Fox* more unfaithfully by engliſhing the Latine. It is meet and right that in Funeralls money be given for opening the earth, as though the Law required that money should be paid for the grave, whereas that it ſpeaketh of, was onely for praying for the soule, which by the Canons might lawfully be taken, and is that, which they also intend should be paid unto the Pariſh Church of the deceased, when the body is elsewhere buried; for ſo an ancient paraphraſticall copy of *Canutus* Lawes doth expreſſe it: *Si quis corpus parentis aut amici ſui ex propria parochia aliàs portare ad ſepeliendum voluerit, faciat priùs certitudinem parochia ad quam pertinet, ſcilicet redditus quod Angli rauleſceat vocant, quod rectè per-*

salvi debes ad apertum sepulchrum.

Now it appeareth how this grave-silver or money for graves grew up to be taken. It was first given for praying for soules and such like but that being abolished and given to the King, the Parsons it seemeth take it for the grave. And to say what I think, doe now take that which was given for praying for the soule, under their fee for their office of burying the Corps, and this for the grave besides, for they take them both. But I say no more.

This Tract was written Anno 1630.

FINIS.